

# United States District Court, Northern District of Illinois

Name of Assigned Judge or Magistrate Judge	Robert W. Gettleman	Sitting Judge if Other than Assigned Judge	
CASE NUMBER	13 C 4332	DATE	7/1/2013
CASE TITLE	Tony D. Jones (2013-0120106) vs. Hines		

## DOCKET ENTRY TEXT

Plaintiff's motion for leave to proceed *in forma pauperis* (Dkt. No. 3), is granted. The Court authorizes and orders Cook County Jail officials to deduct \$1.67 from the plaintiff's account, and to continue making monthly deductions in accordance with this order. The Clerk shall send a copy of this order to the Supervisor of Inmate Trust Fund Accounts, Cook County Dept. of Corrections Administrative Office, Division V, 2700 S. California, Chicago, Illinois 60608. On the Court's own motion, Robert J. Franco, II of Franco & Moroney LLC, 500 West Madison Street, Suite 2440, Chicago, IL 60661-2510 is recruited to represent plaintiff in accordance with Local Rule 83.11(g). Appointed counsel is instructed to investigate plaintiff's claims pursuant to his obligation under Rule 11. Appointed counsel shall either file an amended complaint within sixty days that complies with Rule 11 or inform the Court if he is unable. The Clerk shall send a copy of this order to Mr. Franco. The case is set for status on September 4, 2013 at 9:15 a.m.

■ [ For further details see text below.]

Docketing to mail notices.

## STATEMENT

Pro se plaintiff Tony D. Jones, a Cook County Jail detainee, has brought a civil rights suit pursuant to 42 U.S.C. § 1983. Pending before the Court are plaintiff's motion for leave to proceed *in forma pauperis* (Dkt. No. 3), and complaint for an initial review pursuant to 28 U.S.C. § 1915A. (Dkt. No. 1).

Plaintiff's motion for leave to proceed *in forma pauperis* (Dkt. No. 3), is granted. Pursuant to 28 U.S.C. § 1915(b)(1), plaintiff is assessed an initial partial filing fee of \$1.67. The supervisor of inmate trust accounts at the Cook County Jail is authorized and ordered to collect, when funds exist, the partial filing fee from the plaintiff's trust fund account and pay it directly to the Clerk of Court. After payment of the initial partial filing fee, the trust fund officer at the plaintiff's place of confinement is directed to collect monthly payments from the plaintiff's trust fund account in an amount equal to 20% of the preceding month's income credited to the account. Monthly payments collected from the plaintiff's trust fund account shall be forwarded to the Clerk of Court each time the amount in the account exceeds \$10 until the full \$400 filing fee is paid. All payments shall be sent to the Clerk, United States District Court, 219 S. Dearborn St., Chicago, Illinois 60604, attn: Cashier's Desk, 20th Floor, and shall clearly identify the plaintiff's name and the case number assigned to this action. The Cook

## STATEMENT

County inmate trust account office shall notify transferee authorities of any outstanding balance in the event the plaintiff is transferred from the jail to another correctional facility.

Plaintiff alleges that he is prescribed Stribild, a medication to fight his HIV. He is required to take the medication once a day. Defendant Cook County Jail Nurse Hines often fails to provide the medication on a daily basis. Plaintiff complains to her but Hines ignores him and tells him to stop bothering her. Plaintiff is concerned that not receiving his medication on the required regular basis could cause the medication to become ineffective allowing his HIV to progress. Plaintiff has set forth a claim for deliberate indifference to his objectively serious medical needs. *Farmer v. Brennan*, 511 U.S. 825, 835 (1994); *Holloway v. Delaware County Sheriff*, 700 F.3d 1063, 1072 (7th Cir. 2012).

Due to the seriousness of plaintiff's allegations, on the Court's own motion, the Court shall recruit an attorney to represent plaintiff in this case. Robert J. Franco, II of Franco & Moroney LLC, 500 West Madison Street, Suite 2440, Chicago, IL 60661-2510 is recruited to represent plaintiff in accordance with Local Rule 83.11(g). Appointed counsel is instructed to investigate plaintiff's claims pursuant to his obligation under Rule 11. Appointed counsel shall either file an amended complaint within sixty days that complies with Rule 11 or inform the Court if he is unable. The case is set for status on September 4, 2013 at 9:15 a.m.